Ep #111: The Core Patterns Behind an Agile Law Practice [Agile Lawyering Finale]

Full Episode Transcript

With Your Host

John E. Grant

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If you've been following this Agile Attorney 101 series, hopefully you can tell that I've put a lot of work into these past 10 episodes. And I've been trying to build a roadmap for taking your law practice from overwhelmed to optimized, from reactive to proactive, and from chaos to something that will bring genuine balance to your practice and your life.

But at the risk of discounting my own efforts, I'm going to let you in on a little secret. I haven't actually taught you 10 separate things. 10 applications, sure. But most of what I've been talking about boils down to a smaller set of patterns, scalable tools that you can apply at different levels of your practice to solve problems, build consistency, and keep the human element front and center.

In today's episode, I'm wrapping up this series, and I'm going to call out exactly what those core patterns look like.

You're listening to *The Agile Attorney Podcast*, powered by GreenLine. I'm John Grant, and it is my mission to help legal professionals of all kinds build practices that are profitable, sustainable, and scalable for themselves and the communities they serve. Ready to become a more Agile Attorney? Let's go.

A quick note before I dive in. The concepts I'm talking about today should be useful to you no matter what kind of law practice you're part of or what tools you use. If you'd like, stay tuned at the very end where I will briefly discuss how my software tool GreenLine helps support and reinforce the Agile practices from today's episode.

Hey, everyone, welcome back. And welcome to this final episode in my Agile Attorney 101 series. My goal for today is to briefly discuss how we can take the matter-level strategy discussion from last week's episode and apply it at the practice level or the firm level. And then I'm going to wrap up, at least for now, by revisiting the high-level principles, practices, and

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mindset that I know can lead you to a more Agile approach to your life in the law.

And specifically, I want to return to a question I first asked back in episode 101, but could honestly only answer partially at the time. What does it actually mean to be an Agile Attorney?

Now, I've talked about a lot of tools and principles that can definitely help your practice, whether it's implementing a Kanban board or improving your meeting cadences or building that client journey map or matter strategy plan. And all of them can make a substantial improvement. And obviously, I've been teaching them for a reason.

But while the tools are great, what I care more about is helping you to genuinely be Agile as a practitioner, as a leader, as a professional, and even in your life overall.

So today I'm going to return to some of those first principles around strength, fluidity, adaptability, and grace. I think after 10 episodes of working through these concepts together, we're in a strong position to more fully adopt that overall Agile mindset. And that's what I hope to leave you with today.

But first, I want to start with something from my recent personal experience. Earlier this month, I spent the better part of a week at a board development training and workshop, attending in my role as the board chair of the Commons Law Center, which is the nonprofit law firm here in Oregon that I've been involved with since its inception.

And the training was put on by the M.J. Murdock Charitable Trust, which is a pretty major philanthropic foundation that funds nonprofits across the Pacific Northwest.

And the way Murdoch operates is really interesting to me. Before they'll make a significant investment in a nonprofit's actual programs, the work the

organization exists to do, they require the executive director and a few key board members to go through this governance and leadership development process first.

Murdoch wants to see that you've got sound governance, a strong culture, and a clear strategic direction before they'll deploy serious resources towards your mission. And my reaction to that approach is, yes, this is exactly right. And it's basically the logic I've been using in this series.

The point is you should professionalize the system before you scale it. You get the internal operations dialed in before you invest in expanding the impact. Operational health isn't an obstacle to mission, it's the precondition for it.

And Murdoch doesn't require perfection around this stuff, and neither should you, but they do want to see that your organization recognizes the importance of improving your operational maturity and is willing to invest in it. What's great is that Murdoch feels so passionately about this that they're willing to invest in that process first to make sure that it happens.

And they invited 50 different nonprofits to this workshop, paid for their travel, and then they're providing every one of them with 16 hours of leadership coaching to help over the next few months to help make that training stick.

And you've heard me say at the top of every podcast episode that my mission is to help legal professionals build practices that are profitable, sustainable, and scalable for themselves and the communities they serve. And the order of those words matters. Profitable first, because without profitability, it can't work for very long. Sustainable second, because you cannot scale your way out of a sustainability problem, even though there is so much messaging out there trying to convince you otherwise.

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And then, once you're profitable in a sustainable way, that's when we work on scale because that's when scaling your impact is actually worth pursuing. And I think the Murdoch Foundation is basically running that same logic for nonprofits, right? Get governance right, get strategy right, build sustainability into the culture, then invest in scale.

And speaking of strategy, the training itself spent a lot of time on strategic planning, which gave me a chance to see in real time how the same patterns I described last week at the individual matter level applied just as naturally at the organization or firm level. Your objectives, your hypotheses around how to achieve them, your mechanisms for learning and adjusting along the way. That's OHL, whether you're managing an immigration matter or defending a litigant, or you're planning your firm's next three years.

So looking back over the past few episodes, the client journey map is a macro-level pattern that all clients will roughly follow. The matter strategy plan zooms into a particular client's goals for their unique matter. But the strategic planning process can zoom right back out to the practice as a whole. It's the same patterns, just at a different scale.

One more thing that the Murdoch training emphasized that I want to name explicitly because it should sound pretty familiar by now, a big part of the value of strategic planning at any level is that the discipline of deciding what you're going to focus on is also implicitly the process of deciding what you're not going to do.

Out of the universe of possible initiatives, investments, and directions, a good strategic plan forces you to identify the ones you're actually going to pursue with your finite resources. And when you set those priorities, you have to leave the rest of the available options on the back burner, at least for now. And if that sounds familiar, it's because it is. It's capacity discipline. It's WIP limits applied to your firm's strategic agenda. It's the honest reckoning with capacity showing up again, this time at the organizational level.

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And that's the first point I really want you to take away from this episode before I take it all the way back to Agility in general. What I've been trying to teach in this series is not a collection of separate tools, it's a set of sound practices and patterns that can focus in at the micro level or zoom out to the macro one.

A journey map for an entire practice area, a SIPOC chart for a particular phase of work in that practice, a matter strategy plan for one client's specific legal problem, a firm strategic plan for the organization as a whole. The scope and the scale change, but the core patterns are the same.

And as you develop your personal and organizational maturity around these Agile methods, it looks like these repeating patterns. It's not just about more tools; it's about deeper fluency with actually fewer patterns, applied thoughtfully across every level of your practice.

I actually want to tell you one other personal story as I step back from the trees to look at the larger ecosystem. A few weeks ago, I was on a how-to-safely-adopt-AI panel at the annual meeting of the National Organization of Bar Counsel. And that is disciplinary attorneys and the people who love them.

And my co-panelist actually headed a state bar's disciplinary function, and even though we'd met a couple of times to hash out our presentation, it wasn't until I was seated next to her in the talk itself that I noticed that she had three words tattooed on the inside of her arm: Go Like Water.

And when I asked her about it after our talk, she explained that it was Turkish in Oregon and that those words had helped her get through a particularly tough time in her life. I encourage you to Google Go Like Water because it actually comes from a lovely and uniquely human tradition. But that wasn't why the phrase caught my attention. Because I'd heard that idea before, and actually a few times.

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The first place I came across it was probably 15 or more years ago, back when I was still practicing copyright and trademark law. And I had a client named Walt Missingham. He's an Aussie bloke who is pretty well known in the martial arts world. And he actually has a direct historical connection to Bruce Lee and the mixed martial art that Lee invented called Jeet Kune Do.

I loved talking with Walt. I actually wrote off a lot of the time I spent speaking with him because I was endlessly fascinated to hear him talk about his own history and his quest, both as a film director and a Jeet Kune Do student, to preserve Bruce Lee's philosophies and Lee's way of incorporating elements from a lot of different martial arts traditions.

And I am not a martial arts practitioner, but so much of what Walt talked about really resonated with me. One of the core ideas was this: strength doesn't come from rigid adherence to a single form or discipline. It comes from absorbing what's useful, building a deep toolbox of techniques, and then drawing from those tools to adapt to whatever is actually in front of you.

And it all makes sense in light of a mantra that Bruce Lee often repeated: be like water. And then somewhere along the way of my Kanban and Agile training, I encountered that phrase yet again in teachings about the Kanban method and in the broader systems thinking literature.

And the same principle kept showing up under different language: flow, adaptability, responsiveness, the idea that the most resilient systems aren't the rigid ones, they're the ones designed to move intelligently within their constraints, the ones that consider upstream and downstream effects, the ones that flow like water.

So three touch points, three different times in my life, different contexts, but the same idea. And at some point, I'm kind of not thinking it's a coincidence anymore. When I see those words, I pay attention.

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And as I reach the end of this series, the thing I want to imprint upon you is that it is not a metaphor for chaos. Water isn't random. It has force and direction. It moves with purpose. But it gets that force and direction from the structures that contain it. And without the structure, water doesn't flow; it floods or it stagnates. It pools. You create problems.

And so, really, as this series has gone on, I've tried to help you develop practices that build the structure. In a different metaphor, I've called them guardrails, right? Capacity limits, quality standards, meeting cadences, strategy plans, they don't constrain your practice; they give it direction and force. They're what allow you to move with purpose instead of just reacting to whatever hits you next.

And rigid systems look strong, but as we know, rigidity under pressure doesn't flex, it fractures. And a practice held together by heroics, by memory, by one person's ability to keep everything in their head, that is inherently a rigid system. It can work right up until it doesn't. And when it fails, it tends to fail suddenly.

So hopefully you've been inspired by this series to build something different, a practice with enough structure to have that direction and force, but also enough adaptability to respond intelligently when reality doesn't go according to plan, which in legal work is a good chunk of the time. And hopefully your legal work can go like water.

So let me do a brief recap of what the structures and the repeating patterns of this series have actually been about. And I'm not going to go episode by episode. I won't walk back through all of that. But I want to name the threads that have been running underneath it all because I think when you see them clearly, hopefully you'll recognize that what we've been building is these recurring patterns from the very start.

The first thread is visibility. And everything in this series, the Kanban board, the journey map, the flow metrics, the policies and procedures, all of them

are ultimately about making things visible. The work and the workflow and the feedback loops that impact them both. Knowledge work is sneaky that way. It doesn't stack up on a factory floor. You can't walk the space and see where things are piling up or getting stuck. So it's hard to react to things when you can't see them, and you can't really improve the things if you don't measure them.

So making your work and your workflow visible, and then developing the visible feedback loops, isn't just a productivity technique; it is the foundational act that makes all of this other improvement possible.

The second thread is capacity discipline. Because once you can see your work, you have to be realistic about how much of it you and your team can actually do. As I've always called this the honest reckoning with capacity, and it is the thread that runs through virtually every episode in the series. WIP limits, drum buffer rope, start less to finish more, it's all part of this recognition that when you say yes to too many things, you don't become more productive, you become less reliable.

And a quick aside here to say that AI is really challenging our capacity discipline because it's giving us a false sense of what is possible. It's making us think we're going to be able to do more with the time and the resources we have. And we can, to an extent, but we're not very good yet at estimating it. We tend to overestimate our own capabilities already, even without AI, and then with AI, we're doing it even more.

So I really want you to focus in on capacity discipline as a core competence, especially as the tools change, the technology improves, because we don't want to overcommit even with the tools that we have that are going to help us do more things faster.

And the thing to keep in mind here is that capacity discipline is not about doing less, it's about finishing more. It's about understanding that your time and attention are finite resources and every commitment you make against

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that capacity is a promise to a real person. Protecting your capacity is how you protect those promises.

The third thread is negotiated agreements over individual heroics. And I haven't actually used that term much in this series: the negotiated agreements. And it actually may be the most culturally challenging shift in the whole series because the legal profession has a long and deep tradition of rewarding heroics.

It's the associate who works through the night, the partner who just intuitively understands what needs to happen, maybe the paralegal who catches the mistake at the last minute. We tell those stories like they're something to aspire to.

But what I've been arguing throughout the series is that heroics are a symptom of a system design problem, not a feature to design for. And the alternative isn't mediocrity; it's consistent and predictable quality. But you have to talk about it together. You have to come to a shared understanding of what quality looks like. Definitions of done, service level expectations, matter strategy plans, working agreements within your team, maybe even the checkpoint conversations with your clients.

All of them are ways of moving critical information out of any one person's head into a shared space where the whole team, and even the client, can actually see what needs to happen and contribute to the matter's success.

And they can hold each other accountable to achieving the goals of the overall matter. And that's what helps you build the promise-keeping machine I described back in episode 102. Not a heroic save at the end, but that reliable system that makes the heroic save unnecessary.

The fourth thread, and in some ways the most important one, is keeping humans at the center. Your systems exist to serve real people. Clients who are navigating some of the hardest moments of their lives. Your team

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members who deserve to do meaningful work at a sustainable pace. Opposing parties and counsel and court staff who are also just trying to get something resolved as best they can. The communities that are better for the fact that a practice like yours even exists.

And of course, that human that is you, the person working to make your practice better, the legal professional who picked up this podcast because something in your work life wasn't working the way you want it to, the way you need it to. You are not outside the system, you're the point of the system.

I've said throughout this podcast that true organizational improvement comes from a focus on people, processes, and tools, roughly in that order. And I mean it every time I say it. The tools we've talked about are genuinely useful. The processes matter. But when you center the humans in the system, including your client, your team, your opponents, and definitely yourself, then you're building something that goes beyond superficial efficiency and into a world of community, effectiveness, and impact.

And that concept of impact actually brings me back to one other key focus of the Murdoch training I just attended. And that's the importance of articulating a clear purpose and a compelling mission for why your practice even exists in the first place. And yes, it's partly to make some money for you and your team. We live in capitalism, and I want that for you. I talk about profitability coming first, but it isn't what gets me out of bed in the morning. And it isn't going to be what motivates people to do this work for and with you.

What truly motivates people and what sustains a practice through the hard stretches is a clear sense of why your practice exists. Who it serves. What would be lost if it weren't there.

Just to give you my experience from the Commons Law Center, the purpose and the mission of that organization are actually two different

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things. And we originally founded the Commons to address two problems that, taken together, seemed like they shouldn't be able to coexist. On the one side, we've got this enormous modest means access to justice gap, millions of people in this country who make too much to qualify for legal aid but nowhere near enough to afford traditional legal representation.

And then on the other side, we've got a legal profession full of talented people who are struggling to build careers that actually sustain them, often carrying significant debt just to get licensed in the first place. And so we created the Commons. Our purpose was to help address that market mismatch. But our actual mission statement is to provide legal help for everyday people because no one should be denied the right to timely and affordable access to justice.

And that motivates our team and inspires our donors. And our programs are built around a combination of mission and purpose. We don't just do the work; we've built the training processes to help new legal professionals gain confidence and competence without overwhelming them.

We've created technology systems that offload much of the busy work so our people can work on the human-level problems. And then we nurture community partnerships that extend our reach and enrich our sense of purpose. And with all that, our primary revenue stream is still fees for legal services.

Most of our programs charge clients on a flat-fee basis, and each of our programs has its own balance sheet that needs to stay in the black, which means that part of what we're doing is pioneering business models that any law practice can adopt to profitably serve everyday people at scale.

And obviously, I'm incredibly proud of the organization we've built and the work that we do. But I bring all of this up because it underscores the important role of purpose and mission. And I see the flip side all the time when I start working with certain law practices. They call me because

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they're feeling the disconnect, they're struggling with culture. They often have lawyers and owners who are exhausted and isolated from all of the management they feel like they have to do.

And then I come in and I see that they've been putting a heavy focus on dollars and hours instead of on community impact. They've been prioritizing short-term metrics over long-term goals, and it's no mystery to me why things wind up feeling so out of whack.

And I'm going to repeat: profitability is important. But also, there are elements to profit that you will never be able to measure on a balance sheet. So having that higher purpose and keeping that bigger picture in mind, that's the thing that will align everyone on your team around delivering quality work in the short term, and also around building systems using people, processes, and tools to extend and increase your impact over time.

And that's why I do my work. I am a true believer in the important role that legal professionals play in the world. And I want to help all of you grow your impact in a profitable and sustainable way. I truly believe that a healthier legal profession is one of the keys to a healthier society.

And that's why I've recorded 111 podcast episodes on sometimes unglamorous fundamentals on how a law practice can improve how it actually functions day in and day out. Not because systems are the point, but because without them, the mission kind of remains an aspiration instead of being able to demonstrate tangible impact.

So as I wrap up this series, I hope that you will consider genuinely, not just rhetorically: why does your law practice exist? Who's better off because of it? What would the community lose if it weren't there? And when you can answer those questions clearly, then building a more Agile practice stops feeling like an operational improvement project. It starts feeling like what I

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think it should be: taking your mission seriously enough to build something that can actually deliver on it reliably, sustainably, over the long haul.

Let me also say as a quick aside that helping law practices dial in their mission and purpose statements is one of my favorite things to do, and I'll talk more on that in just a minute in the end of this episode.

But before I wrap up, I want to briefly revisit some of the mantras that I've repeated at the beginning of this 101 series, and I'm going to add a couple of new ones. Because I think having these in your head can help lock in some of the overall themes from the series.

Number one, start less to finish more. Every yes is a commitment to a real person. And before you take on something new, you need to finish something you've already started. If you protect your capacity, you protect your promises. Start less to finish more.

Number two, slow is smooth and smooth is fast. Looking for speed without having the right guardrails in place, in this case, proven systems, is a recipe for risk. And I get the pressure to go fast. But remember the adage that if you don't have time to do things right, what makes you think you'll have time to do them twice? Slow is smooth and smooth is fast.

Number three, don't rely on diving catches. Heroic saves may draw applause, but they should never be part of the actual strategy playbook. Consistency and reliability will outperform heroics, especially over the long haul. So don't rely on diving catches.

Number four, true improvement comes from working with people, processes, and tools in that order. The tools are useful, the processes matter. But the humans in your system should always come first.

So whichever of those phrases resonates with you, I hope that you'll use it and adopt the broader ideas of the series to truly build a more Agile legal practice, one that is really profitable, sustainable, and scalable for you and

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the communities you serve. The world is a better place for the work that you do, and I'm rooting for you.

So this is the part of each episode where I would typically tell you a little bit about how my software tool, GreenLine, supports the practices we've discussed today. But if you've made it this far, you know that we're doing everything we can to make GreenLine the go-to tool for a more Agile legal workflow.

So instead, I'm going to do a quick programming note. And after 11 straight weeks of pretty intensive episode writing, I'm going to bring you a few interview episodes over the next several weeks. You can probably guess, they are a fair bit easier to create than these solo episodes.

But I'm especially excited next week to bring back Radhika Dutt to talk about what's wrong with traditional law firm metrics and how her OHL framework can better help you achieve your practice goals. So stay tuned for that.

I also mentioned helping you hash out your purpose-based law firm mission statement, not just for marketing, but one that really drives the goals and strategies for your entire organization. And if you'd like to book a session for that, you can go over to agileattorney.com and look for the Work With Me link and book a session to do that together.

And of course, if you would like to check out GreenLine, and I would love to show it to you, you can do that at greenline.legal. Just look for that Book a Demo button.

All right, that's it for today. As always, if you found this episode useful, please help spread the word by sharing it with a colleague or a friend.

And I've got a new ask for you this week. If there are other legal podcasts you listen to and you think I might be a good guest on one of them, I'd love

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it if you could either make an introduction or just drop me a line and let me know what shows you think I should try to be on.

If you have any thoughts or questions about today's episode or topics you'd like to hear me discuss, please don't hesitate to reach out to me at john.grant@greenline.legal.

And as always, this podcast gets production support from the fantastic team at Digital Freedom Productions, and our theme music is "Hello" by Lunareh. Thanks for listening, and I will catch you again next week.